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SUITE 3200
535 SEVENTEENTH STREET
DENVER, COLORADO 80202-3579
MAILING ADDRESS
P.O. BOX 8749
DENVER, COLORADO 80201-8749

TELEPHONE (303) 295-8888
FACSIMILE (303) 295-8261

D. Scott Martinez
(303) 295-8473
dsmartinez@hollandhart.com

February 22, 2010

VIA OVERNIGHT MAIL AND E-MAIL TO _____

CONFIDENTIAL COMMUNICATION

Federal Election Commission
Attn: Ms. Frankie D. Hampton
999 E. Street, NW
Washington, D.C. 20463

OFFICE OF GENERAL
COUNSEL

2010 FEB 23 AM 8:24

RECEIVED
FEDERAL ELECTION
COMMISSION

Re: MUR: 6246 – Response to Request for Information

Dear Ms. Hampton:

We represent Dollar Loan Center, LLC (“Dollar Loan Center” or the “Company”), and hereby provide its response to the above-referenced matter under review. This response, supported by the attached affidavits, demonstrates that no action should be taken against Dollar Loan Center in this matter. Further, the documentation contained in this letter shows that Dollar Loan Center and the individuals named in Kjelden Cundiff’s (“Cundiff”) complaint did not violate campaign finance laws.

Holland & Hart obtained the information contained in this letter by conducting an independent, internal investigation at the request of the Company.

I. Background Information

Founded in Nevada in 1998 by Charles Brennan (“Brennan”), Dollar Loan Center has grown to forty-eight locations in Nevada, South Dakota, and Utah. Brennan now serves as CEO of the Company which employs several hundred people.

Brennan was a childhood friend of Kjelden Cundiff and considered Cundiff one of his best friends for many years. When Cundiff’s father passed away when he was a teenager, Mr. Brennan’s parents, Judi and Robert Brennan, took Cundiff in as a part of their family.

Bruce Cooley (“Cooley”), Company President, met Brennan and Cundiff while in college when all three worked together at a bank. Cooley and Cundiff later became

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roommates while Cooley attended graduate school. Cooley also considered Cundiff a friend and invited Cundiff to participate in his wedding.

In 2001, Cundiff began working for the Company and served in various positions within the Company with increasing responsibility. Cundiff ascended to the position of Director of Compliance, an executive position inside the Company, which he held for approximately four years.

In October, 2009, Cundiff resigned from the Company. The terms of Cundiff's resignation are the subject of ongoing litigation. The litigation surrounds the allegation that Cundiff attempted to extort \$400,000 from Brennan, while Cundiff was facing personal financial hardship. When Cundiff's demand was rejected, he resigned and began filing complaints against the Company with various institutions, including the MUR 6246 with the FEC.

Neither Brennan, Brennan's family, Cooley nor Cooley's wife have been in contact with Cundiff except through counsel. It is Dollar Loan Center's position that Cundiff is using the FEC's complaint process to try to gain leverage, or in retaliation for, the ongoing litigation with the Company. Dollar Loan Center, Brennan, Brennan's family, Cooley and Cooley's spouse all refute Cundiff's allegations and are disheartened at the abuse of process and loss of a person they trusted and considered a friend.

Dollar Loan Center's response address both parts of Cundiff's allegations: (a) that Brennan allegedly offered to reimburse Cundiff for a donation to Congressman Jon Porter's campaign, in violation of campaign finance laws; and (b) the implication that Brennan could have, potentially, reimbursed others for their campaign donations to Congressman Jon Porter.

II. Cundiff's Allegation that Brennan Offered to Reimburse Cundiff for a Donation to Congressman Porter's Campaign is False.

In 2008, incumbent Congressman Jon Porter ("Porter") was challenged by State Senator Dina Titus ("Titus") for Nevada's third congressional district. As a part of her campaign, Titus made statements against the business interests of Dollar Loan Center. As a result, Brennan supported Titus' opponent, Porter.

Brennan chose to contribute the maximum amount allowable under campaign finance laws, \$2,300, to Porter's congressional re-election campaign. He also encouraged his family, friends and business partners to donate to Porter's re-election, if those persons had the financial ability to do so. Brennan has a history of supporting politicians aligned with his business interest, as acknowledged in Cundiff's complaint. [Cundiff Complaint, p.1, ¶ 2].

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Holland & Hart's investigation found no evidence that Brennan offered to reimburse Cundiff for a campaign contribution. As a part of Holland & Hart's investigation, the firm conducted a face-to-face interview with Brennan. Brennan stated that he requested that Cundiff donate \$2,300 to Porter's campaign; however, Brennan denies offering to reimburse Cundiff with either personal or corporate funds. [See Exhibit A - Affidavit of Charles Brennan]. While not waiving the attorney-client privilege, Brennan indicated that he has never offered to reimburse Cundiff, nor any other person. [See *id.*]. Brennan explained that he requested donations from friends and family that had the financial wherewithal to donate to Porter.

A review of Company policies and procedures found that there is no formal or informal policy for reimbursement for political donations or expenses related to political activities. The Company's employee handbook prohibits any type of illegal conduct. Brennan's activities were consistent with Company policies and did not violate campaign finance laws.

Based upon the foregoing, the FEC should not initiate an investigation of Dollar Loan Center or Brennan. Moreover, disclosures to the FEC indicate that Cundiff did not make a donation to Porter. Any violation of campaign finance law alleged by Cundiff is theoretical at best, as there is no evidence, nor facts, to support his claim. Even if Cundiff's allegations were true, which Brennan denies, an investigation would be duplicative of the internal investigation conducted by Holland & Hart. This law firm found no evidence of a reimbursement or potential reimbursement beyond the verbal allegations of Cundiff. Therefore, any further investigation would be a waste of FEC resources and against the public interest.

III. Cundiff's Allegations that Brennan Offered to Reimburse Family Members and Other Employees for a Donation to Congressman Porter's Campaign are False.

Cundiff alleges that activity by Brennan's parents, Cooley, and Cooley's spouse (collectively "the Donors") is suspicious. [Cundiff Complaint, p. 2-3]. Cundiff does not allege, or offer any facts, that the Donors actually violated campaign finance law.

Holland & Hart conducted an internal investigation and found that the Donors did not violate any campaign finance laws. The sum of the evidence Cundiff provided that the Donors violated campaign finance laws is that they donated to Porter's campaign. Such donations, within the \$2,300 limitation, are not violations of campaign finance law.

The Donors admit that they each donated \$2,300 to Porter, but deny that they were reimbursed by Brennan or by Dollar Loan Center. [See Exhibits B, C, D & E - Affidavits of Bruce Cooley, Judi Brennan, Robert Brennan and Carla Cooley, respectively].

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Cundiff alleges that Bruce and Carla Cooley's donations to Porter are suspicious by virtue of the fact that they are not residents of Nevada. [Cundiff Complaint, p.3]. This allegation is irrelevant. It is common knowledge that candidates for federal office often receive and seek donations from across state lines; such donations do not violate campaign finance laws.

Cundiff also alleges that Robert and Judi Brennans' occupation listed on Porter's FEC quarterly report, as owners of Dollar Loan Center "is also a falsehood." [Cundiff Complaint, p.2, ¶ 5]. A review of Porter's paper filing shows that the field associated with Robert and Judi Brennans' employer and occupation are filled with "Information Requested." [Exhibit F - Porter for Congress, FEC Form 3, filed 12/4/2008, pp. 34-35 (additional pages omitted)]. Holland & Hart's investigation found that Charles, Robert and Judi Brennan have no first hand knowledge as to why the Porter campaign later associated them with Dollar Loan Center. Presumably, the Porter campaign made an assumption that Brennan's parents were associated with Brennan's business. There is no evidence suggesting that such information came from any member of the Brennan family.

Finally, based upon its internal investigation, Holland & Hart suggests that no further investigation of the Donors is necessary. There are no allegations that any law was actually broken, only behavior this disgruntled employee feels is suspicious. The Donors deny that any reimbursements occurred and the investigation by Holland & Hart found no evidence that such a reimbursement occurred.

IV. Conclusion

Dollar Loan Center is a successful and well respected member of the business community. It has never been accused of campaign finance misconduct and is troubled by Cundiff's allegations. Dollar Loan Center values its reputation and takes all allegations of misconduct seriously, as evidenced by its retention of Holland & Hart to conduct an internal investigation into the matter.

While it is understandable that Cundiff wishes to pursue an aggressive litigation stance regarding his former employment with the Company; following your review of this letter and the enclosed materials, we hope you will agree that any accusations against Dollar Loan Center, Charles Brennan, Robert Brennan, Judi Brennan, Bruce Cooley or Carla Cooley are unfounded and a further investigation is unnecessary. In the event this response does not provide you with the information necessary to close this matter under review, please advise us of what additional information you may need.

Thank you for your attention to this matter and we look forward to hearing from you.

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Respectfully,



D. Scott Martinez, Esq.
for Holland & Hart LLP

DSM
cc: Dollar Loan Center
Enclosures

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EXHIBIT F
PORTER FEC FILING

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** **Example: type type over the line**

Porter for Congress

ADDRESS (number and street)

7840 Red Leaf Drive

Check if different
than previously
reported (AGC)

Las Vegas

NV

89131

2. FEC IDENTIFICATION NUMBER
- ☒

C00067367

CITY ☒STATE ☒ZIP CODE ☒STATE ☒ DISTRICT

3. IS THIS REPORT
- ☒
- NEW
- ☐
- OR
- ☐
- AMENDED (A)

NY

09

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Transmission Report (TER)

- (b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

In the
State of

- (c) 30-Day POST-Election Report for the:

☒ General (30G)

Runoff (30R)

Special (30S)

Election on

11

04

2008

In the
State of

NV

5. Covering Period 10 18 2008 through 11 24 2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Christie Hantle

Signature of Treasurer

Electronically Filed by Christie Hantle

Date 12 04 2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office
Use
Only**FEC FORM 3**
(Revised 08/09/07)

FEB08/08

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SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

FOR LINE NUMBER: PAGE 24/128	
(check only one)	
<input checked="" type="checkbox"/> 11a	<input type="checkbox"/> 11b
<input type="checkbox"/> 12	<input type="checkbox"/> 13a
<input type="checkbox"/> 13b	<input type="checkbox"/> 14
<input type="checkbox"/> 15	

Any information copied from such Reports and Statements may not be added or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

 NAME OF COMMITTEE (in Full)
 Pastor for Congress

A. Full Name (Last, First, Middle Initial) Robert Owens Mailing Address 555 E. El Campo Grande Avenue City Las Vegas State NV Zip Code 89001 FEC ID number of contributing federal political committee. C Name of Employer Waste Management, Inc. Occupation Owner Receipt For: 2008 Primary <input checked="" type="checkbox"/> General Other (specify) <input type="checkbox"/> Election Cycle-to-Date <input checked="" type="checkbox"/> 1000.00	Date of Receipt 10 / 22 / 2008 Transaction ID: 81022.C19495 Amount of Each Receipt This Period 1000.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a)(4)(1)-(7)
B. Full Name (Last, First, Middle Initial) Jill Brown Mailing Address 9020 Crooked Shell Avenue City Las Vegas State NV Zip Code 89032 FEC ID number of contributing federal political committee. C Name of Employer Information Requested Occupation Information Requested Receipt For: 2008 Primary <input checked="" type="checkbox"/> General Other (specify) <input type="checkbox"/> Election Cycle-to-Date <input checked="" type="checkbox"/> 4000.00	Date of Receipt 10 / 23 / 2008 Transaction ID: 81023.C19498 Amount of Each Receipt This Period 4000.00 Receipt Limit Increased Due to Opponent's Spending (2 U.S.C. 441a)(4)(1)-(7)
C. Full Name (Last, First, Middle Initial) Jill Brown Mailing Address 9020 Crooked Shell Avenue City Las Vegas State NV Zip Code 89138 FEC ID number of contributing federal political committee. C Name of Employer Information Requested Occupation Information Requested Receipt For: 2008 Primary <input checked="" type="checkbox"/> General Other (specify) <input type="checkbox"/> Election Cycle-to-Date <input checked="" type="checkbox"/> 2300.00	Date of Receipt 10 / 23 / 2008 Transaction ID: 81202.C19765 Amount of Each Receipt This Period -2300.00 Redistribution Memo Limit Increased Due to Opponent's Spending (2 U.S.C. 441a)(4)(1)-(7) (SEE SCHEDULE A) ITEM Redistribution to Spouse
SUBTOTAL of Receipts This Page (optional) 5000.00	
TOTAL This Period (last page this line number only)	

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

FOR LINE NUMBER: PAGE 35 / 123

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 12a ☐ 12b ☐ 14 ☐ 15

Any information copied from each Report and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Porter for Congress

A.

Full Name (Last, First, Middle Initial)

Robert Hansen

Mailing Address 9820 Crockett Street Avenue

City State Zip Code

Las Vegas

NV

89143

FEC ID number of contributing
federal political committee.

C

Name of Employer
Information Requested

Occupation

Information Requested

Receipt For: 2008

Primary ☒ GeneralOther (specify) ☐Election Cycle-to-Date ☒

2300.00

Date of Receipt

 M / D / Y
 10 / 23 / 2008

Transaction ID: 81292.C19796

Amount of Each Receipt this Period

2300.00

Reconciliation Memo

 Limit Increased Due to Opponent's
 Spending (2 U.S.C. 441a)(4)(1)(A)

(Check if Item)

Reconciliation from Spouse

B.

Full Name (Last, First, Middle Initial)

Yvonne Flores

Mailing Address 1200 Tiliacis court

City State Zip Code

Las Cruces

NM

8852

FEC ID number of contributing
federal political committee.

C

Name of Employer
Information Requested

Occupation

Realtor

Receipt For: 2008

Primary ☒ GeneralOther (specify) ☐Election Cycle-to-Date ☒

500.00

Date of Receipt

 M / D / Y
 10 / 24 / 2008

Transaction ID: 81085.C18488

Amount of Each Receipt this Period

500.00

Receipt

 Limit Increased Due to Opponent's
 Spending (2 U.S.C. 441a)(4)(1)(A)

C.

Full Name (Last, First, Middle Initial)

Joseph Johnson

Mailing Address 3660 Regency Hill

City State Zip Code

Henderson

NV

89014

FEC ID number of contributing
federal political committee.

C

Name of Employer
Information Requested

Occupation

Information Requested

Receipt For: 2008

Primary ☒ GeneralOther (specify) ☐Election Cycle-to-Date ☒

500.00

Date of Receipt

 M / D / Y
 10 / 24 / 2008

Transaction ID: 81085.C18488

Amount of Each Receipt this Period

500.00

Receipt

 Limit Increased Due to Opponent's
 Spending (2 U.S.C. 441a)(4)(1)(A)

SUBTOTAL of Receipts This Page (optional)

1000.00

TOTAL This Period (last page this line number only)